

PATENT  
EXPRESS MAIL NO. EL705824051US  
Attorney Docket No. NC17164  
Client/Matter No. 40725.830113.000

COMBINED DECLARATION AND POWER  
OF ATTORNEY FOR PATENT APPLICATION

DECLARATION:

As below named inventors, we hereby declare that:

Our residence, post office addresses and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled APPARATUS, AND ASSOCIATED METHOD, FOR FORMING A MODULATED SIGNAL UTILIZING OTD AND TCM TECHNIQUES, the specification of which was filed September 28, 2000.

The persons named as inventors in this application are Juha Heiskala and John Terry.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

No prior foreign application for patent or inventor's certificate has been filed.

No priority claim is made under 35 U.S.C. § 119 or 35 U.S.C. § 120.

POWER OF ATTORNEY:

As named inventors, we hereby appoint Brian T. Rivers, Reg. No. 41,270, Robert C. Rolnik, Reg. No. 37,995, Milan I. Patel, Reg. No. 41,242, Jerald J. Gnuschke, Reg. No. 42,588, Paul Juhasz, Reg. No. 36,345, Allen Scott Lineberry, Reg. No. P44,873, Robert H. Kelly, Reg. No. 33,922, Earl C. Hancock, Reg. No. 19,472, F.A. "Sandy" Sirr, Reg. No. 17,265, and Patrick McBride, Reg. No. 39,295, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Send all correspondence to: Robert H. Kelly, HOLLAND & HART LLP, 555 17th Street, Suite 3200, P.O. Box 8749, Denver, Colorado 80201, and direct telephone calls to Robert H. Kelly, telephone number 719-475-6463.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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